

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

CHARLIE JAVICE and OLIVIER AMAR,

Defendants.

Case No.: 1:23-cr-00251-AKH

**DEFENDANT OLIVIER AMAR'S
NOTICE OF MOTION IN LIMINE**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated January 13, 2025, Defendant Olivier Amar, by and through his undersigned counsel, hereby moves this Court before the Honorable Alvin K. Hellerstein, at the United States Patrick D. Moynihan U.S. Courthouse, 500 Pearl St., New York, New York, on February 4, 2025 at 10:00 a.m., or at such other time that counsel may be heard, for an Order precluding the government from arguing, introducing evidence, and/or soliciting testimony in support of now-invalid theories of fraud under *Ciminelli v. United States*, 598 U.S. 306 (2023) and its progeny.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order of September 24, 2024, the United States shall serve its response by January 27, 2025.

Dated: January 13, 2025

Respectfully submitted,

KOBRE & KIM LLP

/s/ Sean S. Buckley

Sean S. Buckley

Jonathan D. Cogan

Alexandria E. Swette

Daisy Joo

800 Third Avenue

New York, NY 10022

Tel: (212) 488-1200

Sean.Buckley@kobrekim.com

Jonathan.Cogan@kobrekim.com

Alexandria.Swette@kobrekim.com

Daisy.Joo@kobrekim.com

Counsel for Defendant Olivier Amar